

Message Text

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PAGE 01 LAGOS 03761 231544Z
ACTION AF-10

INFO OCT-01 ISO-00 SCS-06 SS-15 L-03 H-01 HA-05 CA-01
EB-08 CIAE-00 INR-10 NSAE-00 /060 W
-----104134 231548Z /47
P 231511Z MAR 78
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC PRIORITY 7400

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E.O. 11652: N/A
TAGS: PDIP, CASC, NI
SUBJECT: LEFEVRE'S DETENTION: MINTZER COMMISSION

REF: (A) LAGOS 3737, (B) LAGOS 3735

1. PRIOR TO LEFEVRE AND EGBE'S ARRAIGNMENT (REF A), RELATED TO AN AIIC NAIRA 450,000 LAON (REF B), CID WAS ALSO INVESTIGATING LEFEVRE IN CONNECTION WITH SUBJECT INSURANCE COMMISSION. SINCE ADDITIONAL CHARGES MAY BE LEVIED AGAINST LEFEVRE, INFORMATION ON COMMISSION MAY BE USEFUL. SOURCE OF FOLLOWING INFORMATION IS QUOTE REPORT OF INVESTIGATIONS OF THE AMERICAN INTERNATIONAL INSURANCE COMPANY (NIGERIA) LTD. UNQUOTE, BY MICHAEL ADELOUSI, CHARTERED ACCOUNTANT. AIIC CONTENDS THIS STUDY IS PREJUDICED. HOWEVER, WITH LEFEVRE IN JAIL AND HIS REPLACEMENT, RITTER, HERE LESS THAN 2 WEEKS, NO OTHER SOURCE OF INFORMATION READILY AVAILABLE.

2. STUDY SAYS THAT AIIC PAID A MR. MINTZER A COMMISSION FEE OF 34,725.85 NAIRA THROUGH A MR. MELWANI FOR SERVICES ON BEHALF OF AIIC. MELWANI WAS LOCAL AGENT FOR MARTIN BROKERAGE COMPANY, A U.S. FIRM OWNED BY MINTZER. FMG MAY MAINTAIN THAT THIS PAYMENT WAS ILLEGAL BECAUSE IT VIOLATED PROVISIONS OF 1976 INSURANCE DECREE BECAUSE MINTZER WAS NOT LICENSED INSURANCE BROKER. THE AFOREMENTIONED
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STUDY IMPLIES THIS IS A GREY AREA BECAUSE, ALTHOUGH PAYMENTS TO MINTZER WERE MADE AFTER THE DECREE WAS ISSUED, MINTZER'S SERVICES WERE PROVIDED BEFORE THE DECREE WAS ISSUED. NONETHELESS, THE STUDY STATES THAT THE PAYMENT WAS ILLEGAL IN ANY CASE BECAUSE IT WAS IN CONTRAVENTION OF THE 1962 EXCHANGE AND CONTROL ACT. THE RELEVANT PART OF SECTION 7 OF THE ACT FOLLOWS: EXCEPT WITH THE PERMISSION OF THE

MINISTER, NO PERSON SHALL DO ANY OF THE FOLLOWING THINGS
IN NIGERIA, THAT IS TO SAY: (A) MAKE ANY
PAYMENT TO OR FOR THE CREDIT OF A PERSON RESIDENT OUTSIDE
NIGERIA OR (B) MAKE ANY PAYMENT TO OR FOR THE CREDIT OF
A PERSON RESIDENT IN NIGERIA BY ORDER OR ON BEHALF OF A
PERSON WHO IS RESIDENT OUTSIDE NIGERIA, OR (C) MAKE
ANY PAYMENT WHATSOEVER IN RESPECT OF ANY LOAN, BANK
OVERDRAFT OR OTHER CREDIT FACILITIES OUTSIDE NIGERIA, OR
(D) PLACE ANY SUM TO THE CREDIT OF ANY PERSON RESIDENT
OUTSIDE NIGERIA.

3. SINCE THIS ALLEGED INFRACTION HAS BEEN UNDER INVESTIGATION
FOR SOME TIME, DEPARTMENT SHOULD BE ABLE TO LEARN AIG'S
SIDE OF THE STORY FROM THEIR ATTORNEY WHITE & CASE.

EASUM

BT

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Message Attributes

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Disposition Approved on Date:
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TAGS: PDIP, CASC, NI, (LEFEVRE, LOUIS)
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